

Introduction to the 2008 Editors' Symposium: *National Borders and Immigration*

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The outstanding collection of articles and comments thereon that follows this Introduction constitutes the 2008 Editors' Symposium of the *San Diego Law Review*. The Editors' Symposium, an annual event, began with the 2004 Symposium, *What is Legal Interpretation?*, which appeared in these pages in Volume 42.¹ It was followed in 2005 by the Symposium, *The Meaning of Marriage*,² in 2006 by the Symposium, *The Rights and Wrongs of Discrimination*,³ and in 2007 by the Symposium, *Informational Privacy: Philosophical Foundations and Legal Implications*.⁴ All five symposia were organized by the Institute for Law and Philosophy at the University of San Diego School of Law, and all consisted of papers and comments presented at the School of Law. The 2009 Editors' Symposium, *Isaiah Berlin: Value Pluralism and the Law*, will take place in February 2009, with subsequent publication of its papers in Volume 46 of the *Law Review*.

There have been few issues as contentious as immigration policy and the problem of illegal immigration. Immigration policy has been a hot button issue in American politics since the Irish and then Southern and

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1. Symposium, *What is Legal Interpretation?*, 42 SAN DIEGO L. REV. 461 (2005).

2. Symposium, *The Meaning of Marriage*, 42 SAN DIEGO L. REV. 821 (2005).

3. Symposium, *The Rights and Wrongs of Discrimination*, 43 SAN DIEGO L. REV. 733 (2006).

4. Symposium, *Informational Privacy: Philosophical Foundations and Legal Implications*, 44 SAN DIEGO L. REV. 695 (2007).

Eastern European migrations raised the questions of who and how many should be allowed into the country, on what conditions, and with what requirements for obtaining citizenship. Massive illegal immigration, primarily across the southern border, has posed the questions of how border controls should be enforced and what the fate should be of the millions who are already in the country without permission.

As the foregoing questions are political, so too are they philosophical. Do countries have a right to admit whom they choose, or do migrants have a right to immigrate to wherever *they* choose? Do countries have a more limited right to attach conditions to migration, and if so, which conditions? Do countries facing emigration have a right to stanch it in order to prevent “brain drains” and the loss of their investment in their citizens?

These and many other such questions are addressed by our distinguished group of authors in the articles that follow. They ask and attempt to answer what a justifiable immigration policy is and what its legal implementation would look like. These articles could not be more important or timely, and we are honored that they appear in the *San Diego Law Review*.

In seeking to make an annual Editors’ Symposium a reality, the Institute and the *Law Review* have worked to build a permanent endowment sufficient to finance it. To that end, we have solicited—and shall continue to solicit—donations from all former editors of the *Law Review*. Those who have contributed to date are listed at the beginning of the issue. We are very, very grateful for your generosity and hope this product vindicates our seeking your support. Thank you.